

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 24-cv-22523-KMM

KENNY ORTEGA,

Plaintiff,

v.

MIAMI DADE COUNTY and  
JOSEPH DIAZ, individually,

Defendants.

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**EXHIBIT "A"**  
**TO**  
**DEFENDANT JOSEPH DIAZ' MOTION**  
**TO EXTEND STAY OF PROCEEDINGS PENDING**  
**RESOLUTION OF THE PARALLEL CRIMINAL CASE**

*Information*

State of Florida v. Joseph E Diaz  
Case No.: 2022-CF-000506  
Filing # 143506226  
E-Filed 02/08/2022 01:20:01 PM.

**Donet, McMillan & Trontz, P.A.**

Attorneys at Law

100 Almeria Avenue, Suite 230, Coral Gables, FL 33134

• Telephone: 305-444-0030 •

[www.dmtlaw.com](http://www.dmtlaw.com)



**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT  
IN AND FOR MIAMI- DADE COUNTY, FLORIDA FALL TERM, 2021**

**THE STATE OF FLORIDA v.**

JOSEPH E DIAZ

**INFORMATION FOR**

1. OFFICIAL MISCONDUCT/PUBLIC SERVANT 838.022  
FEL 3D/PIROR TO 10/1/16
2. BATTERY 784.03 MISD. 1D

Defendant(s)

**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA:**

**KATHERINE FERNANDEZ RUNDLE**, State Attorney of the Eleventh Judicial Circuit,  
prosecuting for the State of Florida, in the County of Miami-Dade, by and through her undersigned  
Assistant State Attorney, under oath, Information makes that:

ROME, JOSEPH :JR 02/08/2022

Circuit Court Direct File

Jail No. 220121123 ,Bkd: , CIN: 1248313, W/M, DOB: 9/9/1973

F22000506

Stuzin (F006)

(CC#: F22000506)

**COUNT 1**

JOSEPH E DIAZ, on or about July 25, 2020, in the County and State aforesaid, being a public servant, did unlawfully, knowingly, and intentionally obtain a benefit for any person or to cause harm to another, falsify, or cause another person to falsify, any official record or official document, to wit: the sworn narrative in the arrest affidavit for Miami-Dade criminal case B20012424, in violation of s. 838.022, Fla.Stat., contrary to the form of the Statute in such cases made and provided, and against the peace and dignity of the State of Florida.

(CC#: F22000506)

**COUNT 2**

And the aforesaid Assistant State Attorney, under oath, further information makes JOSEPH E DIAZ, on or about July 25, 2020, in the County and State aforesaid, did unlawfully commit battery upon Kenny Ortega by actually and intentionally touching or striking said person against said person's will and/or causing bodily harm, to wit: bruises and scratches, in violation of s. 784.03, Fla. Stat., contrary to the form of the Statute in such cases made and provided, and against the peace and dignity of the State of Florida.

(CC#: F22000506)

**STATE OF FLORIDA, COUNTY OF MIAMI-DADE:**

Personally known to me and/or appeared before me physically or by telecommunications, the Assistant State Attorney of the Eleventh Judicial Circuit of Florida whose signature appears below, being first duly sworn, says that the allegations set forth in this Information are based upon facts which have been sworn to as true, by a material witness or witnesses, and which if true, would constitute the offenses therein charged, and that this prosecution is instituted in good faith.

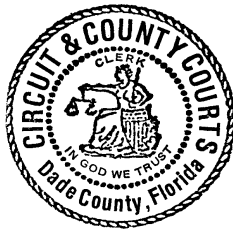
/a/Joseph B. Rome

/s/ Joseph B. Rome

Assistant State Attorney/Bar #:122768

1350 NW 12th Ave., Miami, FL (305) 547-0100

Sworn to and subscribed before me this 8th day of February, 2022.



By /s/Trinere Purifoy

Deputy Clerk for Clerk of the Courts, or  
Notary Public

13:1:47 PM

**CASE FILE SHEET**

02/08/2022

**DEFENDANT(S):****DIAZ, JOSEPH****COURT CASE #:****F22000506****Intake Atty:** 22881**ROME, JOSEPH****Unit:** 086

Special Prosecution-I

**21st Day:****Arraign:** 02/11/2022**DIVISION:** Stuzin**Police #:** IA202000761**Book Date:****Department:** 030 Metro-Dade**JailNum:** 220121123**Arrest Date:** 01/12/2022**PID: RACE: W Sex: M****Lead Officer:****DOB:** 09/09/1973**Dept/Station:****IDS:** 3424039**CIN:** 1248313**Remarks:****PFC Date(s):****Arraignment Action** **Date****Clerk File Date:** 01/11/2022**Domestic:****Lab #:****ME #:****Case Filing Decision** **Date****Properly Release:** N**Extradite:** 1 Fel-Full extradition unless noted

FF Felony Filed

01/14/2022 5:54 p

**VictimType:** 17 Adult/Strangers**Min/Mandatory:****Tel/Video Depo:****Career Criminal:**

| <b>T</b> | <b>D</b> | <b>CJIS</b> | <b>Description</b>   | <b>Charge Filing Decision</b> | <b>Count</b> |
|----------|----------|-------------|----------------------|-------------------------------|--------------|
| F        | 3        | 8380220F3NA | OFICIAL MISCON/10/16 | FF Filed Felony               | 1            |
| M        | 1        | 7840300M1NB | BATTERY              | FM Filed Misdemeanor          | 2            |

**ATTORNEY:** \_\_\_\_\_  
Assistant State Attorney**APPROVED:** \_\_\_\_\_  
Assistant State Attorney**DATE:** \_\_\_\_\_**DATE:** \_\_\_\_\_